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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:

HIGHLAND CAPITAL MANAGEMENT, L.P.,¹

Reorganized Debtor.

THE CHARITABLE DAF FUND, L.P.,

Plaintiff,

VS.

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Defendant.

§ Chapter 11

§ Case No. 19-34054-sgj11

§

§

§ Adversary Proceeding No.

§ 22-03052-sgj

§

§

¹ The Reorganized Debtor's last four digits of its taxpayer identification number are (8357). The headquarters and service address for the above-captioned Reorganized Debtor is 100 Crescent Court, Suite 1850, Dallas, TX 75201.

STIPULATION AND PROPOSED SCHEDULING ORDER

This stipulation (the “Stipulation”) is made and entered into by and between Highland Capital Management, L.P., the reorganized debtor and defendant in the above-captioned adversary proceeding (“Highland”), and The Charitable DAF Fund, L.P. (“Plaintiff,” and together with Highland, the “Parties”), by and through their respective undersigned counsel.

RECITALS

WHEREAS, On October 16, 2019 (the “Petition Date”), Highland commenced a voluntary case under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of Delaware. On December 4, 2019, the Delaware Court entered an order transferring venue of Highland’s bankruptcy case to this Court [Bankr. Docket No. 186].²

WHEREAS, on July 22, 2021, Plaintiff commenced an action against Highland by filing an *Original Complaint* [Docket No. 1]³ (the “Complaint”) in the U.S. District Court for the Northern District of Texas (the “District Court”).

WHEREAS, on May 19, 2022, the District Court entered an order referring this matter to this Court for adjudication pursuant to the standing order of reference (Miscellaneous Order No. 33) [Docket No. 18].

WHEREAS, on May 25, 2022, this Court opened Adv. Proc. No. 22-03052-sgj (the “Adversary Proceeding”) to adjudicate the Complaint and related proceedings.

WHEREAS, on May 27, 2022, Plaintiff filed *Highland Capital Management, L.P.’s Amended Motion to Dismiss* [Docket No. 19] (the “Motion to Dismiss”).

WHEREAS, the Parties have conferred and desire to enter into a mutually agreeable

² “Bankr. Docket No. ___” refers to the docket maintained in Case No. 19-34054-sgj11.

³ “Docket No. ___” refers to the docket maintained in the above-captioned Adversary Proceeding (as defined herein).

proposed schedule, as specifically set forth below.

NOW, THEREFORE, it is hereby stipulated and agreed, and upon approval of this Stipulation by the Court, it shall be SO ORDERED:

1. The Parties agree to the following schedule (the “Proposed Joint Schedule”):

<u>Event</u>	<u>Deadline</u>
Deadline to File a Response to the Motion to Dismiss	No later than 5:00 p.m. CT on July 5, 2022
Deadline to File a Reply to Any Response to the Motion to Dismiss	No later than 5:00 p.m. CT on July 26, 2022
Hearing on the Motion to Dismiss	August 3, 2022, at 2:30 p.m. CT

2. If approved by the Court, the Proposed Joint Schedule shall only be modified in a writing signed by the Parties or upon the entry of an order of the Court entered upon notice to the Parties.

3. The Court shall retain jurisdiction over all disputes arising out of or otherwise concerning the interpretation and enforcement of this Stipulation.

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Dated: June 8, 2022

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